

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

KHALID ABDULLAH,	:	CIVIL ACTION NO. 1:05-CV-1135
	:	
Plaintiff	:	(Judge Conner)
	:	
v.	:	
	:	
ANTHONY FETROW, et al.,	:	
	:	
Defendants	:	

ORDER

AND NOW, this 25th day of October, 2005, upon consideration of defendants' motion (Doc. 11), filed on August 8, 2005, to dismiss the original complaint, and upon further consideration of the amended complaint (Doc. 19), see FED. R. CIV. P. 15(a) ("A party may amend the party's pleading once as a matter of course at any time before a responsive pleading is served"), and it appearing that as of the date of this order defendants have not filed a brief in support of the motion, see L.R. 7.5 ("Within ten (10) days after the filing of any motion, the party filing the same shall file a [supporting] brief . . . [or] such motion shall deemed to be withdrawn."), and it further appearing that the amended complaint renders the original complaint a legal nullity, see Snyder v. Pascack Valley Hosp., 303 F.3d 271, 276 (3d Cir. 2002) ("An amended complaint supercedes the original version in providing the blueprint for the future course of the lawsuit."); 6 CHARLES ALAN WRIGHT ET AL., FEDERAL PRACTICE AND PROCEDURE § 1476 (2d ed. 1990) ("Once an amended pleading is interposed, the original pleading no longer performs any

function in the case”), it is hereby ORDERED that the motion (Doc. 11) to dismiss the original complaint is DENIED as moot. See Snyder v. Pascack Valley Hosp., 303 F.3d 271, 276 (3d Cir. 2002); see also L.R. 7.5.

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge